



Contra
Costa
County

To: Wendt Ranch GHAD Board of Directors
From: Patricia E. Curtin, GHAD Attorney and General Manager
Date: September 7, 2021

Subject: Annexation of the Somerset Development into the Wendt Ranch GHAD

RECOMMENDATION(S):

ADOPT Resolution No. 2021/282 approving the annexation of the Somerset development into the Wendt Ranch Geologic Hazard Abatement District ("GHAD") as required by Public Resources Code Section 26581.

FISCAL IMPACT:

None. Funding of GHAD responsibilities within the Somerset development will be addressed in the Engineer's Report which will be reviewed and considered by the Wendt Ranch GHAD Board at a future meeting.

BACKGROUND:

On February 12, 2002, the Contra Costa County Board of Supervisors adopted Resolution No. 2002/59 approving the formation of the Wendt Ranch GHAD and appointed itself to serve as the GHAD Board of Directors.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **09/07/2021** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 7, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Haley Ralston (909)
373-5457

cc:

BACKGROUND: (CONT'D)

State law allows GHADs to be formed to undertake emergency actions necessary or incidental to the prevention, mitigation, abatement, or control of a geologic hazard (*Public Resources Code §26500, “GHAD Law”*). GHAD Law gives local agencies the authority to form districts that can speedily address “an actual or threatened landslide, land subsidence, soil erosion, earthquake, or any other natural or unnatural movement of land or earth.” (*Public Resources Code §26507*).

Consistent with GHAD Law, on February 12, 2002, the Contra Costa County Board of Supervisors adopted Resolution No. 2002/59 approving and forming the Wendt Ranch GHAD and thereby putting into place a mechanism to respond to emergencies and to prevent, mitigate and/or respond to geologic hazards. The members of the County Board of Supervisors serve as the Board of Directors of the Wendt Ranch GHAD.

Attorneys for the GHAD have advised that this proposed Board of Supervisors action is necessary because California Public Resources Code Section 26581 requires that the annexation is subject to the approval of the legislative body which ordered the formation of the GHAD. The Contra Costa County Board of Supervisors ordered formation of the Wendt Ranch GHAD in 2002. The requirement for the legislative body that formed the GHAD to approve any annexations remains, even though members of the Contra Costa County Board of Supervisors also serve as the Wendt Ranch GHAD Board of Directors.

Approval of the Somerset annexation by the Board of Supervisors will complete actions necessary to under California Public Resources Code Section 26581.

CONSEQUENCE OF NEGATIVE ACTION:

If the Contra Costa GHAD Board of Supervisors does not proceed with this matter, satisfaction of annexation requirements under California Public Resources Code Section 26581 will not be complete and future transfer of responsibilities to the GHAD as anticipated in the Plan of Control will likely be delayed and possibly may not occur.

ATTACHMENTS

Resolution 2021/282